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Pellako

# THE ACQUITTAL OF BISHOP THOMAS

prosecuted and tried for waging war and sedition:

being the Judgment in Sessions Trial 10 of

1911, King Emperor *versus* THOMAS

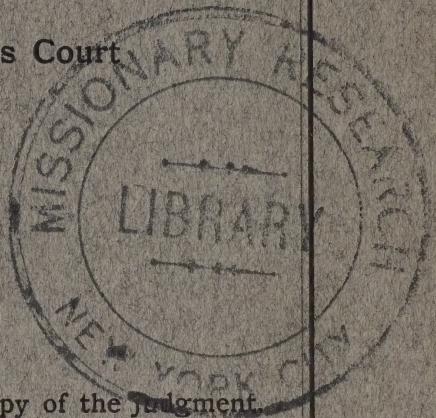
PELLAKO, in the Sessions Court

of Toungoo.

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This reprint is made from a certified copy of the Judgment.

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RANGOON:

Printed at the American Baptist Mission Press,

F. D. Phinney, Supt.,

1911.



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### THE HISTORY OF RANGOON

#### ABBREVIATION.

S. T. means Record of the Sessions Trial.

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## JUDGMENT

# IN THE COURT OF SESSIONS,

## TOUNGOO DIVISION.

*Dated 5th June, 1911.*

SESSIONS TRIAL NO. 10 OF 1911.

KING EMPEROR                  v.     THOMAS PELLAKO,  
more correctly called  
BISHOP THOMAS.

TWO CHARGES BOTH UNDER SECTIONS  $\frac{124A}{121A}$  INDIAN PENAL  
CODE.

I

### PRELIMINARY.

The brevity of a judgment depends on how much may be taken for granted. If in this case I were to take for granted such familiarity with the barely inhabited hill country adjoining as is common to missionaries and officers living in or near there, this case might be disposed of in a very few words.

It is chiefly concerned with a dozen or more small villages on the eastern frontier, which are among the poorest of those Karen villages where people became Church of England Christians. The Karen priest there, paid Rs. 20/- a month by the Society for the Propagation of the Gospel, was Thomas Pellako (now accused), and he seems to have been consistently zealous and headstrong, and also loyal. When there was anxiety in Burma as to the arms and ammunition that might be brought in (apparently about the time of the Boer War), it was to Thomas Pellako on the frontier that the Reverend John Hackney turned to find out for Mr. Law, the Toungoo District Superintendent of

Police, what kind of ammunition was for sale on the French side. He duly bought and delivered to Mr. Hackney two boxes of percussion caps, and Mr. Hackney delivered them to Mr. Law. He also reported loose powder for sale, and confided to Mr. Hackney all he knew or suspected about hidden arms.

In spiritual matters he was less compliant, and in 1906 the Bishop removed him from the priesthood, and in effect excommunicated him. But the villagers adhered to him, all but a few, in the villages beside his home. In addition to them, about 2000 others in or near Rangoon and Bassein have adhered to Thomas Pellako. In short Thomas Pellako became a "Karen Prophet," not at all an uncommon apparition.

Many attempts seem to have been made to crush him. The Karens are the most loyal people in Burma. More than any others, they have cause to be thankful that Englishmen and not Burmans are ruling here. Till the English came, they were liable to much ill-treatment from the Burnans. Let Smeaton's "Loyal Karens of Burma" and other such books be taken as read. So the obvious cue of the local Church of England village clergy was to discredit Thomas Pellako by imputing *sedition* to him. *This they could do with a clear conscience as they seem to have identified the State with the Church of England.*

Suffice it that, all other means failing, Mr. Hackney was induced by his native clergy, apparently without himself realising the meanness of the act or suspecting the illegality of it, to induce the revenue authorities in 1910 to order Thomas Pellako and his preachers and teachers to pay the tribute or capitation tax of Rs. 2/- a house, which is all the revenue there payable, and from which preachers and teachers of all kinds are by law exempted.

One of the commonest events even yet in that half desert country is for subordinate revenue collectors and stray policemen to extort money from these Karens. I have had some cases recently. The chief service that missionaries render to their flocks is to protect them against illegal exactions. When I myself came to be Deputy Commissioner here in May, 1897, I found the Karen tribute shown on the books as practically all outstanding, and I believe it is permissible now to disclose what nobody has ever yet suspected that it was confidentially (and through

a reverend gentleman) that I discovered it had been paid and was being misappropriated. Thanks to him, every rupee was ultimately recovered, the poor hillmen had to pay nothing twice, and those who were in fault paid the penalty of their misdeeds. (In fact one of the clerks removed for that was 11th prosecution witness Ah Nu in this case.) Every officer of common sense having to deal with such hillmen is on speaking terms with their preachers and teachers, and continually says about exactions, "when in doubt, do not pay, but apply to me;" and one of the commonest experiences of life on the hills is for the people to hear big demands dwindle or disappear when met by a steady and stolid reply: "I will ask the Deputy Commissioner" or some other official, or "I will ask the preacher."

So nothing was more natural than for Thomas Pellako, on receiving this new and insulting demand of tribute from himself and ten other preachers and teachers, to refuse to pay it, and bid his preachers and teachers refuse, and send in a remonstrance to the Deputy Commissioner by letter. When a verbal remonstrance means a hard journey of many days, there surely is nothing disrespectful in a letter.

In an almost incomprehensible manner, three successive Deputy Commissioners failed to notice that what was being demanded was an entirely *new* demand; and the sanction of the Local Government was obtained to this prosecution for "waging war" and "sedition" by what can only be called a misstatement of what should have been recognised as undeniable facts. It is as certain as anything can be that the Lieutenant Governor would *never* have sanctioned this prosecution, if he had been informed, as he should have been, that *all the usual tribute was paid as usual*, and that what was in question was a new demand from eleven preachers and teachers *who had never been required to pay before*, and who were still preachers and teachers and so entitled to exemption, but from whom the revenue authorities were making demand at the instance of the Reverend John Hackney, because these men, though still preachers and teachers, had been excommunicated by the local "Church of England."

By a succession of mistakes, which read like farce, but might have ended in hideous tragedy, these poor people and their bishop, perhaps the most loyal and humble souls in the country, have been officially persecuted, so that many

had to come temporarily down from their native hills, where alone they can make a living, and all have been maddened, bullied, and their bishop and leaders flung into jail and the law violently strained to keep them there, their savings swallowed in legal expenses so that they had to remove their children from school, and all this has been done in the name of law and order, by the authorities to whom they had been accustomed to look up as children to a father.

Two or three redeeming points stand out.

There were no lies told at this trial by Mr. Hackney. On the contrary, he was pleasantly prompt to tell what good he knew of the man accused. He probably little dreamed of the explosions he was endangering, and doubtless now regrets as much as any one the suggestion he frankly admitted that he made to Mr. Parsons, the then Deputy Commissioner, to *increase* the rate of tribute of all the Karens. As this meant starvation to many, the excitement caused by the rumour of such a thing can be imagined.

As that Deputy Commissioner is away from Burma and the suggestion was made verbally, the defence could hardly have proved it if Mr. Hackney had denied it. I beg them to remember this, and to accept as sincere any expression of regret they may receive.

Another redeeming point is that these poor people stood fast. They did not make *any* of the preparations for sedition usual among such tribes. They did *not* collect arms. They did *not* prepare charms to protect them against bullets and steel. They paid the tribute due. They never spoke otherwise than most respectfully about the King and the lawful authorities. Even the illegal exactions have been paid by all but Thomas Pellako himself. They went on with their bare hillside cultivation and other work as well as they could. Anybody would have been sorry for those of them, who came to give evidence for Thomas Pellako. There was one in particular who explained how they had been able to hold on, by their hopes of Heaven. They are subject to terrible delusions about the English ; but their delusions take the form of thinking too well, and not the reverse, of those who have been their benefactors. They also suppose the Bible is to be taken literally, a mistake, but not one for the Church which teaches it to punish thus. They have much to learn, very much indeed ; but it is not loyalty to the Government which they are lacking.

It seems a kind of duty to go more into detail about the case, and risk being tedious, in order to *end* debate about what should be no longer doubtful. It seems to be the duty of this Court now, by clearing up misunderstandings, to do whatever can be done to make and preserve peace in the future, and if not to effect a reconciliation between Thomas Pellako's people and the Church they have left, at least to show the only possible road to it, and to mutual self-respect and toleration.

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## II. THE CHARGES.

Nominally two charges (both under sections 124A and 121A Indian Penal Code) of waging war and sedition were framed against Thomas Pellako by the Deputy Commissioner as District Magistrate.

The first was twofold.

"That you between 8th March, 1910, and 4th November, 1910, at Mawkudo committed disaffection and contempt against the Burma Government by refusing to pay taxes and not allowing your followers to do so to the Local Government."

The answer to this is that no taxes were absolutely refused to the Government. The *usual* taxes were all paid as usual. An altogether novel demand of tribute of Rs. 2/- per house was made from eleven preachers and teachers, Thomas Pellako and ten others. Thomas Pellako is 50 years of age. Neither he nor any other of the eleven had ever been asked to pay such tribute before. They believed it an illegal demand, and it was indeed on the admitted facts illegal, as any competent Court must now hold. It was also, and, (S. T. p. 69) by Mr. Hackney who instigated it, it was admitted to be *meant to be* an intimation that Thomas Pellako and the ten others were not recognised. The only way that the Society for the Propagation of the Gospel could profit by this would be that the villagers would take it as a hint that *Government* considered Thomas Pellako and the rest to be false preachers and teachers. The Myook has explained (S. T. p. 84) that that was the inevitable meaning. Thomas Pellako did bid his followers abstain from paying this tribute, while he wrote letters of remonstrance to the Deputy Commissioner, and then threatened to appeal to the Commissioner and ultimately memorialised the Local Government.

In all this he was doing only what sympathetic Deputy Commissioners and superior officers of all Departments have continually been urging the formerly downtrodden and isolated Karens and other hill tribes to do.

In remonstrating thus against a novel and illegal demand, Thomas Pellako was manifesting loyalty and not disloyalty, obedience and not sedition. The sanction for his prosecu-

tion was obtained from the Local Government by a *mis-*  
statement of the facts.

The next charge is that "You refused to obey orders of the Deputy Commissioner as he did not give you a self assumed title."

A letter for Thomas Pellako was not accepted as it was not addressed to him as *Bishop*. Bishop admittedly is what he is usually called where he lives. There he is, as the witnesses explain, sometimes "Doctor" (Saya), but commonly *the Bishop*. He is not commonly called Thomas Pellako. He wrote to the Deputy Commissioner at once quite respectfully exhibit Y dating 4th November, 1910.

"God bless you. I received a letter from you on the 3rd November, 1910. It was said the letter was yours for Thomas Pellako, but as it was without (my) office name, I could not take it as it was your letter.

(Signed) Bishop Thomas."

It takes one an effort to realise that the Deputy Commissioner was not making fun in solemnly framing a charge in the alternative of conspiracy to wage war or sedition against a poor Karen preacher, for sending this reply to the letter of the Deputy Commissioner. The magisterial difficulty in deciding whether it was waging war or sedition so that an alternative charge was solemnly framed is delicious in its absurdity, worthy of Dogberry or Mrs. Malaprop (figures in dramas). The letter was no more waging war or sedition than it was rape or burglary.

Of course it was not a tactful thing for the Karen Bishop to refuse the letter sent him, but it was natural enough. And though I do earnestly advise him in future to come when sent for by the Deputy Commissioner at whatever cost to himself, and to accept without demur any letter however addressed, if he thinks it is meant for him, it may not be amiss to note that a Deputy Commissioner has no jurisdiction to award ecclesiastical rank, and as a gentlemen is bound to give the usual courtesy titles to all persons to whom he is sending letters. The accused had as much right to be called Bishop, since his people so named him, as for example a Cardinal of the Church of Rome has to be called a Cardinal in England. Yet would the Deputy Commissioner have refused to address a Cardinal as Cardinal? And what would he have thought of any tax collector at home, who in 1885 had tried to prosecute Cardinal

Newman for waging war or sedition, because the Cardinal returned unopened to him a letter addressed, J. H. Newman, and explained he was usually addressed as Cardinal? Such a procedure on the part of Cardinal Newman would have been exactly what was done here. What a fine Gallic fury my old friend Bishop Bigandet would have felt, if he had not been addressed as Bishop Bigandet. Yet he had the same right to the title as Bishop Thomas.

The only remark to be added about this, which is the second half of the first charge, is that its very absurdity shows how desperately the prosecution was at a loss for materials. Any stick may be good enough to beat a dog with, but to base formal charges of waging war or sedition on such incidents is really dangerous nonsense.

The second and only other charge runs.—

“You on or about the year 1910 incited the Karens by documents issued by you against the present Burma Government and King of England, proclaiming the advent of a Karen King, and (inciting) to break allegiance to the English Government.”

This is sedition, plainly put. The answer is equally plain. It is *false*.

It rests upon exhibit C. The attempt to allege the existence of any other proclamation fully and finally broke down. Even Mr. Hackney admitted at last (S. T. p 43) that he had never seen any other. He had only heard of them from “Ah Kwa and others;” and Ah Kwa in turn (S. T. p. 111) had to say, “Exhibit C is the only proclamation I saw. The others I spoke of I heard my followers mention.” Indeed it is proved about as plainly as a negative can be proved that there never was any other. I quote it below at full length, and to explain it will now go into the facts of the case more in detail. Suffice it here to note that Thomas Pellako’s defence is completely made out, that he had *no* intention of setting himself up against the Government of Burma, and hoped for nothing except for what might be graciously given him. To call that sedition is simply a misuse of language.

### III. A RULING.

Two elementary rules continually applied in sedition cases must first be mentioned as used in the trial of this case. One is the general rule of interpretation that a document must be read as a *whole*. In a recent treatise published by Thacker Spink, 1911, "Donogh's Law of Sedition and Cognate Offences," we read (pp. 102, 103.) that this rule was laid down in Sullivan's case by Lord Fitzgerald, when he told the jury (1868): "In dealing with the articles you should not pause upon an objectionable sentence here or a strong word there.....(but) deal with the articles in a free, fair and liberal spirit." Sir C. Petheram, Chief Judge, in the Bangobasi case ("take the articles as a whole,") Justice Strachey in Tilak's case, Sir L. Jenkins, C. J., in Luxman's case, all in effect said the same thing and *practised* what they preached.

It would be strange if they did not. This rule of interpretation is as old as Mencius (Works of Mencius V, I, 4, 2, dated about 300 B. C.). "Do not miss the sense of a sentence by fastening upon one word of it, not that of the whole composition by dwelling on a single sentence. See what the writer was looking at, and grasp the thing as a whole." It may safely be said the rule might be traced farther back. But it is enough to show that it is now continually used in law courts whose example we are bound to follow. Indeed it is a rule of commonsense, no more to be ignored by a man of sense than gravitation; but some rules of commonsense are sometimes ignored in the law courts. In this instance, the authorities quoted show that this one is to be recognised. As we will see, it was only because the Deputy Commissioner did not apply this rule in 1910 to a proclamation by Thomas Pellako that the Deputy Commissioner imagined a harmless notice, as harmless as any Salvation Army placard, to be a kind of Declaration of Independence.

The only other rule to be mentioned, for the like of which Mr. Donogh quotes rulings at many recent sedition trials, almost needlessly, for it is in the Evidence Act, is that we have to look at all the surrounding circumstances, and welcome any collateral evidence showing the *intention* of the man accused.

The line taken by the defence in this case was that there was *nothing* to hide. Nearly every objection taken by the defence advocate (Mr. Mitter) was taken at my instigation from the bench, and he was prompt to withdraw objections whenever allowed, manifesting in every possible way the anxiety of the unfortunate man accused that everything should be known, because the better everything was known, the better his innocence would be established, and the greater would be his chance of escaping persecution in future. Considering that Thomas Pellako was arrested in his house in the middle of the night, 12th November, 1910 (S. T. p. 70,), and on one excuse or another kept in custody till he appeared before this Court, and considering that the orders for bail passed in this Court on 25th April, 1911, were made in the teeth of the strongest possible objections by the Public Prosecutor acting on the instructions of the Deputy Commissioner, it was a plain duty to let the man make out his innocence. In an ordinary trial, a Court has seldom time to go farther than it must, once it is clear the prosecution must fail. But in a case of this sort it would have been a miscarriage of justice not to allow him every opportunity of proving he was an innocent man falsely accused; and that he did.

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#### IV. 1906 AND EARLIER.

As he comes before the Court in spotless white dress, Bishop Thomas as we will now call him is a man of 50 years of age, with a face not more dreamy than the average Karen, rather more wideawake, and decidedly refined and intelligent. There is a patient look about him, such as is common among Karens. In the jail where I first noticed him being pointed out to others, he was quiet, unobtrusive, avoiding rather than seeking notice, but not shy or timid, heedless whether looked at or not. The closest scrutiny there revealed nothing uncommon but a lack of timidity. This was remarkable in a hill Karen, as they have an unusual terror of jails. During the trial his composure was perfect. The complete absence of animosity in his looks towards those who were giving evidence against him was a remarkable sign of the genuineness of his religious belief. Remembering that and Mr. Hackney's candour too, I will make at the end of this judgment a few suggestions to help the return of peace.

We can hardly hope for peace for a while. Those who have persecuted him have injured him too much to confess it.

“Forgiveness to the injured doth belong,  
But they ne'er pardon who have done the wrong.”

But time brings roses, and I think it will not be his fault if the present mutual revilings and taunts between “S.P.G.” and Kleeboite do not abate. His every gesture seems to say without words, “they know not what they do.” The man himself seems to have as little of the quack about him as any professional priest I ever saw. He is certainly the most respectable product I have seen in 25 years of the Society for the Propagation of the Gospel missionary effort in Burma.

He seems to have been one of theirs from the first, a teacher and preacher all his life. He was “ordained deacon in 1891”, said Mr. Hackney (S.T. p. 188), “and two years later proceeded to the priesthood after good work in the hills. Then about 1896-7 he was suspended by Bishop Strachan for disobedience. Otherwise his work was very good indeed.” Again Mr. Hackney explained, “He was

headstrong, disposed to lead rather than he led." The same remark has been made of St. Paul. After a short suspension, "Bishop Strachan returned his....orders and missionary license, and thereafter his work was very satisfactory until 1901 when he brought up the King theory, that the Karen King was coming."

In 1901 when formally challenged, he did not deny that he had said a king would come soon. Mr. Hackney says (S.T. pp. 15 and 16), "He said that by *King* he meant Jesus Christ. We gave him the benefit of the doubt and kept him on till 1906."

"We gave him the benefit of the doubt." It is a curious phrase in that connection. But as what they *doubted* was whether he meant to set up the standard of rebellion, and as the allegations of preparations for violence were discovered to be all untrue, the conclusion was right enough. The pity is that the superior English clergy did not suspect and have never discovered the whole truth lying in front of them all the time; that this man's mind was filled with a conviction natural enough to an earnest truthful man, who has no other window to see the world by than his own natural faculties and a Karen translation of the English Bible and Prayer Book. Reading these again and again and knowing so little else, he had come to the conclusion that Jesus Christ might be expected to return shortly. *That* is his *heresy*. He is an "Early Adventist." He believed it not as a choir boy repeating mechanically by rote believes the creed, or as a *common* man does. He *believed* it with all his soul: and communicated his belief to those who listened to him, and who looked at the world from his point of view.

If it be objected that he said a Karen King, a king for the Karens, the answer is easy. Jesus belongs to every nation. I have read in works of authority that negroes had pictures of a Negro Jesus. In China he is a Chinaman to the Christians. I have seen a missionary account of a picture of Jesus with a pigtail,—in the very latest local fashion. The Art Galleries of Europe show him Spanish, Italian, French, German and Dutch. I cannot recollect ever seeing an *English* Jesus; but that is a detail. The oddest thing of all is that he was a Jew, and hardly any of the old European pictures of him have Jewish features. So when Bishop Thomas said the Heavenly King was a

King for the Karens, he was not odd, he erred in company with the majority of Christians.

Neither was his belief in the early return of Jesus an oddity in Christian history. A Bencher of one of the Inns of Court in London once confided to me that he had a belief of that kind, but courteously spared me the details and talked of secular matters. Within the last few years I have been told, and I omit particulars only to spare people's feelings, that a large number of European professional religious people in a part of Asia ruled from London proceeded to act on the belief that the world as we know it was to end now and Jesus take charge at once. They sold property, betook them to hills, and by many actions manifested their sincerity. Throughout the nineteenth century the same belief was familiar in the best English religious circles, as the note books of Thomas Carlyle and many other observers might be quoted to testify. The Times, it is said, once went out of its way to call attention to a leading divine whose secular contracts and engagements extended beyond the period when he preached that the world was to come under direct celestial control. That particular divine may or may not have deserved the journalist's castigation, but that many of those who talked thus were sincere is beyond a doubt. There was a penny weekly paper that was said to cherish their faith, and was called the Signs of the Times.

What is more to our present purpose is that early Christianity notoriously began with this belief in the Early Advent of the Saviour. That belief *is* implied in Scripture. It contributed powerfully to the immediate success of Christianity, and only evaporated slowly in the long course of ages. When an entire tribe of people like the Karens, that never since time began had made use of writing, was introduced within the last hundred years to the use of letters, and brought up in a narrow belief in the Bible and Prayer Book, such a heresy as that of Bishop Thomas was a thing that might readily have perplexed the regular Church of England clergy; but I am surprised that it escaped their apprehension, and awakened no sympathy at all. It may do so yet; and the old proverb be justified, that to understand completely is to forgive.

In 1901 they gave him the benefit of the doubt. But in 1906 Bishop Strachan was dead and the end came to the

career of Thomas Pellako in the local branch of the Church of England.

In 1906 "he was called down to Bishop's Court, and refused to come and was excommunicated" (S. T. p. 196); but "even if he had obeyed the order and gone to Rangoon, I think he would have been removed", said Mr. Hackney (S. T. p. 42), who would not be likely to err on that point. His offence was "persistently preaching false doctrines and changing the name Christ to Kleebo" (S. T. p. 188). And yet Mr. Hackney admits "Whenever I heard him preach, he certainly preached all sound doctrine and was doing good work outwardly....but....he was working....underhand against us". Which means, that he preached his own *addition* to sound doctrine too, as is the way of apostles.

Mr. Hackney's account of the heresy may be quoted (S. T. p. 65). "Klee means a Cross-bow. Bo means Beloved. Thomas Pellako contends that our Lord, meaning Jesus Christ, is identical with the Bow mentioned in Genesis in the passage after the flood, 'I will put my bow in the clouds'."

It is explained also that in the Karen translation of Scripture the word used in that passage was the word for a *cross-bow* by mistake for the word for a rainbow. So Bishop Thomas's mistake is partly due to that mistranslation, for which of course he is blameless. To proceed with the main thesis.

"He links that up," says Mr. Hackney, "with the prophecy in Daniel about the Son of Man coming in the clouds of Heaven."

"He says that Kri (Karen for Christ) should be Klee, the cross-bow."

Another witness (Twe Yu S. T. pp. 97-99) shows us Bishop Thomas preaching at home in his headquarters village of Mawkudo. This witness was a non-commissioned officer in the Karen Military Police, who was ostensibly recruiting, but really spying by order upon Bishop Thomas.

"....He conducted religious service. It seemed all in the usual way....I had noticed a cross-bow on the altar during religious service. In his house I heard his explaining about it to his people saying, 'Behold, the arrows are the words of God, and this' (showing the stock of the cross-bow) 'this is God himself. The bow' (showing the part that is bent), 'is Jesus Kleebo himself, and the string is the Holy Ghost.'"

The last sentence of this witness's evidence gives us a scene that doubtless had been enacted often in the last 12 years, though actually dated 1910. "About a week before his arrest, I assisted at a prayer meeting of extra holy men, all praying and calling on the name of Jesus Kleebo."

The single and sufficient key to this case, the one theory which explains every fact and rumour of fact in it, is the strange and simple one that Bishop Thomas and his people were absolutely sincere, looking for an early return of Jesus, and lavish of what little possessions they had in consequences, and heedless of the world; while the Reverend John Hackney and the Bishops he unconsciously led astray in the dark were equally sincere in thinking all that a mere cloak or pretence, being unable to realize the possibility of faith so unusual. They believed him seditious; but *not* because there was evidence of sedition. That they could find no evidence they imputed to his duplicity; and in their earnest faith in his desperate designs they unconsciously invented a few scraps of evidence. But they (Mr. Hackney and the English Bishops) were as sincere in their way as Bishop Thomas himself.

Thus the "case" which any lawyer would have framed for the defence, that this was a dishonest prosecution, instigated by sectarian spite and nothing else, that hideous theory (though there is much evidence which at first sight seems to support it) is in reality as wide of the mark as the theory of the prosecution. Both sides are mistaken. Bishop Thomas is not an ambitious hypocrite, but a sincere believer in Jesus Kleebo, and he and his few thousand followers are looking to see Jesus return triumphant shortly in the clouds of Heaven, the "beloved bow" of his Heavenly Father; while the Reverend John Hackney and the Bishops who followed his lead are not depraved *Jesuitical* unscrupulous persecutors, but common Englishmen.

## V. 1906 to 1908.

The Karens of the hills have long been familiar with the Military Police, in which great numbers of them have enlisted. So it was only another sign of Bishop Thomas's zeal that, perhaps inspired by *Salvation Army* people, some of whom I saw in Toungoo myself in 1897, he tried to brighten up by drilling his Karens, who are dulled by solitude. There was never any secret about this. He was a Church of England priest for many years after he began this, and nobody thought amiss then of that part of his activity. So there is possibly some *grain* of fact in what the ex-clerk Ah Nu said, dating it about 1901. When he visited Thomas Pellako at home, his host said to him, "If you join me, I will appoint you a general over 1,500 men." To which Ah Nu says he replied, "don't talk rubbish." If Ah Nu's date is right, this was about four years after I removed him from his post in the office of the Deputy Commissioner. As an educated man, he might seem to Thomas Pellako a specially desirable Karen to convert. Other facts which Ah Nu admitted elucidated the matter. He usually "drinks liquor in the villages, whenever he gets a chance." He never got any liquor from Thomas Pellako, and though he denies the latter remonstrated with him about his habits, he admits the zealous priest was preaching against drunkenness. The probabilities are that some metaphorical phrase in religious exhortation is the grain of fact in this peculiar evidence to prove sedition nine years afterwards.

Not to embitter feelings, I will not dwell unduly on grotesque evidence of this kind, which does not deserve to be discussed seriously. Take the Reverend Ah Kwa for example. A certain friendly shooting with the bow he described as shooting at the "English King Edward", because, as appears, there was a *pice*\* in the target. This was many years ago, and before 1906, and excited no remarks at the time. Some old songs (Exhibits F and G) are put in evidence, but they are not traced to the accused, and need not be discussed.

A natural question might be asked. If Bishop Thomas had been a really religious man, would he not, when ex-

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\* Copper coin like a cent or halfpenny or sou.

communicated in 1906, and made aware that he had been accused of sedition, because he spoke of the coming of a Karen King in the sky, would he not, however keen on drill, be likely to drill less, so as not to give the *appearance* of offence? One would think so; and accordingly so it was. The Reverend Ah Kwa who has taken the leading part against him, and was among those Mr. Hackney admitted stirring up to watch him, had to admit (S. T. p. 112):—

"Afterwards, when he had been dismissed in 1906, Thomas Pellako did not make his people drill at all. I only saw him drilling twice, and on both occasions it was before 1906."

He continued, however, to feel the need of waking up his Karens, as every preacher does who deals with them, and so—there is more evidence of sedition or waging war.

It appears to have been about 1908 that 8th Prosecution Witness, a Karen non-commissioned officer of Military Police, called Twe Yu, went to Mawkudo on a pretence of recruiting, and played the straight spy and honest reporter to his commanding officer about Bishop Thomas. (S. T. pp. 100 and 103, etc.). "The Bishop" saw his qualities, being anxiously recruiting himself for soldiers of a different kind, and offered Twe Yu Rs. 20/- a month to "drill his men to become soldiers by prayers," (or knee-drill, as Salvation Army people name it). "There was no question of making war or fighting with arms. The offer to me was Rs. 20/- a month for work.

- "(1) To be a catechist, and travelling about and preaching, so he explained to me.
- "(2) I was to teach the villagers drill like that of the Military Police." They were to use spears and sticks, and the object was explained to be to "smarten them up."

The Karen Myook or Township Officer of Tantabin, Maung Le, within whose jurisdiction Bishop Thomas' people live, makes an annual tour of his township, and annually when thereabouts spends the night in the house of Bishop Thomas. Here is an official note of his (Exhibit Z) dated 22nd May 1908.

"Visited Thomas Pellako's village called Mawkudo on the 22nd May 1908. He shows me everything in his house. There is no wonderful thing (nothing remarkable) to show

that he is with special power in hand to become king or ruler. (Karen English for, that he is acquiring influence such as a man would seek who aspired to become a ruler). He is a religious teacher according to S.P.G. or Church of England custom."

In the following month, June 1908, Bishop Thomas came into Toungoo, and we have his word, which there is every reason to believe, that he visited the District Superintendent of Police, "who advised me" he said, "not to preach about the king and to arrest any one who did. I had two followers, and we went back, and advised the Karens not to preach about the king (S.T.p. 215)."

In 1908 Mr. Hackney (S.T. pp. 47, 51, 52) tells of a painful experience at which he and his brother missionaries afterwards "laughed". Be it noted that it was in the loneliest part of the hill country.

Mr. Hackney was on his way to Mawkudo, the headquarters of the man now accused; and at the Kleelo river Bishop Thomas and 12 men with spears (such as nearly every villager's house in this country has) met and escorted him for the two hours' journey that remained. "I accepted the welcome given me. They were all very friendly to me. That is the strange thing—they were all most friendly. I felt startled because I was surrounded. I felt like a well treated prisoner. My movements were in no way restricted. But I did not say a word to Thomas Pellako all the way—I did not speak to him."

Life is very dull in these roadless wilds; and nothing pleases these poor hill folk better than to meet in this way some one to whom they wish to show honour. At a busy time they cannot do it. When their work is at a stand, they welcome such a thing to vary the monotony of existence. The feelings of these poor hillmen when their welcome was *so* received—and so repaid,—must be left to the fancy. What here is relevant is that Mr. Hackney's demeanour as described by himself was sure to distract them with the wildest suspicions.

He too was full of suspicions, convinced of evil designs, and bidding his preachers watch. No wonder he thought the accused Bishop Thomas a very clever dissembler; for he felt the man was planning desperate sedition completely under cover. Think of it. He was trying to debauch the loyalty of the military police, and yet he was not possessed

of a single cartridge to give a follower, or a rifle to put it in. He was drawing away S.P.G. villagers, and yet gave his late S.P.G. superior a cordial welcome. Mr. Hackney admitted he was much perplexed. But when he got sight of the Township Officer's report, just quoted, he saw something to do.

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VI. 1909.

## THE BISHOP OF RANGOON INTERVENES.

It was apparently in 1909 that Mr. Hackney as he admits suggested to the Karen Myook, Mg. Le at Tantabin, to levy Capitation Tax on Bishop Thomas and the preachers and teachers of the Kleebo Church, and he says nothing was done. The Myook explains (S. T. p. 73). "In 1909 .... I reported the matter to the Deputy Commissioner and solicited orders from him whether to collect taxes from them. I did so because it is not usual to collect such taxes from preachers and teachers. Mr. Parsons did not send back the proceedings to me which I submitted to him. I remained awaiting orders."

Mr. Hackney who had been working among Karens all his life perhaps knew how to frighten a Karen Township Officer, or perhaps he was only exceptionally fortunate. The following document which I transcribe entire speaks for itself.

"FROM

THE REVEREND JOHN HACKNEY,

TOUNGOO.

To

THE DEPUTY COMMISSIONER,

TOUNGOO.

June 1st, 1909.

DEAR SIR,

I have the honour to inform you that with reference to the Certificate given by the Myook Maung Le to the Kleebo leader Thomas Pellako alias Sordoo—a clergyman who was suspended by the Lord Bishop of Rangoon in 1906—the Bishop writing under date Easter Monday, 1909, says, "*I should think it would be well for you to tell the township officer Maung Le how the matter really stands with regard to Pellako, i.e. that he is not authorised by me to teach at all, and ask him to correct his certificate. Pellako's teaching is not approved by me. I pronounce it not the teaching of S. P. G. or Church of England.*

"The certificate referred to and which I am told was duplicated and circulated over the hills by Pallako is as follows.

'Visited Thomas Pellako's Village called Mawkudo on the 22nd May, 1908. He showed me everything in his house. There is no wonderful thing to shew that he possesses special power to become a King or ruler. He is a religious teacher according to the custom of the S. P. G. or Church of England.

(Sd.) MAUNG LE,  
*Township Officer,*  
 Camp Mawkudo. 22-5-08.'

"Perhaps you will kindly forward a corrected certificate to Pellako at Mawkudo and let me have a copy for the Lord Bishop of Rangoon.

"I also venture to offer the following notes for your information.

- (1) When on tour in February I was told at every village that Thomas Pellako had promised to free the Karens from taxation and foreign rule by 1911, and that his gang, Tarbee, Pellay and Shomor, go from village to village demanding money under threat of dire punishment when the Karens have regained their independence. The threat is 'You shall be shown no mercy when our Karen King comes.'
- "(2) In each of the S. P. G. (non Kleebo) villages of Themado, Bokha-lay-ni, Shoso and Thalobwa, there is a Kleebo agent who bullies the people to such an extent that they dare no longer receive a *resident* Christian teacher, and school and Church work are at a standstill.
- (3) A few days ago I received a letter from Reverend Ah Kwa of Kyukpon village, *whose agents are watching Thomas Pellako.* It is dated 4-5-09, and translated runs thus, 'I now send you an important piece of news re Kleeboism. At the recent Kleebo meeting (at Koolader in May) the annual offerings amounted to Rs. 300/- (against Rs. 500/- in 1908 and Rs. 1000/- or

more in 1907.) People say there were 300 present. I am sure there were not more than 100 Kleeboites present—the others were Baptists and Church of England Karens who attended out of mere curiosity. On this occasion Thomas Pellako arrayed himself in English Episcopal garb and the people called out ‘Lord Bishop, Lord Bishop.’ Then he set apart 5 men who will be admitted to the priesthood by him on Whitsunday (1909)—their names are Mawsho, Tarbee, Pella, Awto and Lerpo (the latter just released from jail in connection with the Chapel breaking incident at Tongyi). He has given these men authority to perform marriages, Baptise and celebrate Holy Communion (arrow communion?). On May 3rd Morsho (who is a layman) took a wedding at Morpader (Pyaungtho) by Thomas Pellako’s request. At this Kleebo conference Thomas Pellako said to the people: ‘Now that I am a Bishop, you must believe all I tell you, and carry out all my orders, because I am the one representative between God and man. Believe me, that when you obey me, you obey God whose mouth piece I am to communicate His will to you. Now you have a Bishop and priests, and you will soon have your Karen King—who is already standing in your presence though you discern him not.’ Thomas Pellako is selling periwinkles at 2 annas each and slips of paper at Rs. 30/- each of which is written on one side S. Matt. VII. 3-5 and on the reverse ‘Thomas Pellako Sordoo’ (Thomas Pellako the brave, or pugnacious.)”

(Note by Judge.—

(The first part of this letter gives Sordoo as an alias of Thomas, so it may have been his Karen name.)

- “(4) Thomas Pellako has an unregistered boarding school at Mawkudo village and a boarding establishment at the north end of the Institute Karen Village, Toungoo.
- (5) In each of the S. P. G. villages of Bawgaligale and Nyaungbingyi Kleebo agents have erected

Kleebo places of worship within a few feet of Church of England Chapel and clash their noisy services with ours.

I have the honour to be,

Sir,

Your most obedient servant,

(Sd.) JOHN HACKNEY."

A study of the official file in which this letter appears now discloses that the Deputy Commissioner apparently never saw it. Some routine person forwarded it in his name to the Township Officer for report. Maung Le, the Karen Township Officer whose note about Thomas Pellaiko's religious character provoked it, was clearly much alarmed, taking it as a hint from the Deputy Commissioner that he had offended the Bishop of Rangoon, who appears at the top of Part XXIV of the Civil List as the head of the Ecclesiastical Department. This makes him seem the departmental representative of the Lieutenant-Governor, who represents the Governor General, who represents the King Emperor. The note had been made in a kind of Visitor's Book at Bishop Thomas's, and he could not get at it then without a long journey in broken weather. This furnished a ready excuse for the easiest course, which was also the correct official course under such difficult circumstances, namely, to make private note of the private wishes of those above him, as thus disclosed, and seek diligently to gratify them in all ways, while leaving the original offence in oblivion, hoping they may forget it, or seeing their hint is taken, be graciously pleased to forgive.

It is perhaps scarcely needful to add that the lesson would be diligently noted in the Office of the Deputy Commissioner, and nobody there would be likely to draw the attention of the Deputy Commissioner to what it would be supposed he did not want to see,—anything in favour of the Bishop of "Kleeboism."

## VII.

### CONTEMPORARY EVENTS IN SIMILAR COUNTRY.

Here it seems right to illustrate the present realities of life among the hills and mountains that fill continuously the space between India and Burma on one hand, Tonquin and French Indo-China on the other hand, and China itself on the North, by a quotation from a newspaper that appeared while the question of allowing Thomas Pellako bail was pending before me,—Rangoon Gazette, 25th April, 1911.

"A more interesting and noteworthy event is now the topic of conversation among the Shans and Palawngs, as well as all over the Kachin hills. Not quite a year ago information was first circulated that three divine personalities had appeared in different parts of the country along the Chinese frontier. Among these prophets, or rather, as the natives explain it, incarnations of the divine (Boya Lawng), was one belonging to the Lahpai Atsi tribe, a man evidently of some ability, passed the middle age, who claimed to be an impersonation of Karai Wa, the Kachin name for the supreme being. He told the Kachins, and it would seem his Atsi tribesmen in particular, to give up spirit (nat) worship, and pay reverence to Karai Wa as manifested in him. Influenced probably to some slight extent by Christian teaching, but more conspicuously by Shan customs mixed with his own tribal belief, his followers worshipped Karai Wa and put up a religious building (Chyaung), where they lived together practising mystic dances, while the leader claimed miraculous power, being able to renew the youth of old men."

#### Note.—

Here it may be explained that among primitive tribes the various professions are not differentiated, and the prophet and politician has to be a doctor as well. Every doctor knows one of the most needful and profitable bits of his work is prolonging the health of the old; and nearly every doctor has some pet tonic or panacea for old age. I could make a long list of those I have heard of,—ending

with the Bulgarian microbe in Europe. Even on these hungry hills, men cling to life as long as they can. The Rangoon Gazette reporter continues :—

“ A village grew up around him and he received numerous visitors more or less interested in his claims and teaching. Soon he had quite a few followers made up of Atsis, a few Marus, Yawyins and Jinghpaws. But the would-be reformer had political ambitions as well as religious. He told his ‘disciples’ in the village of Loiseng that he had received divine commission to collect taxes, and having paid to him they could ignore the demands of the ‘Kalas.’ ”

**Note:—**

It is wrong to talk of his “political ambitions” in this way. Any natural leader there becomes a general adviser to all his friends and supporters,—“clients and patients,” we would say. Observe the credulity of the reporter, taking for granted “he told his disciples” to pay no taxes to the “Kalas”. That is the general name for foreigners,—meaning Indians and Europeans. “Kalas” is almost literally equivalent to niggers. It is true we “Kalas” often fail to realise in time that taxes which seem very small to us are more than hillmen can pay. They live in desolate country, where they have not and cannot get money or money’s worth. A certain decay of population in many parts of these hills may be an effect of our taxation. Hence the people are quick to hope for a relief from taxes by the help of any leader who may arise among them, *no matter what he may say to the contrary.*

“Here,” says the reporter, “is where he made his fatal mistake. The authorities were anxious to know what it all meant, but he refused to recognise the messages sent him. Some of his followers could read Shan, and some are reported to have been familiar with the Kachin system of writing. But they would not receive or reply to any written communications. So it was decided to pay a visit to the prophet in his mountain home. Quite a strong force went up, not knowing what to expect. Coming near the ‘Chyaung’ one of the soldiers was hit by a bullet fired from the inside, and another was struck by a Yawuin arrow, which fortunately was not poisoned. The Yawyins are supposed nearly always to use poisoned arrows when on the war-path.”

## Note.—

One of the oldest of human arts, practised by the Hercules of Greek myths, is that of obtaining poison from trees, and putting it on arrows to make them deadly. It is also put on small sharp stakes stuck on footpaths at night to stop enemies. Nearly twenty years ago in the Pegu Yomas I was shown by old men the various trees they used for this purpose, and they lamented bitterly that the younger generations were allowing such precious knowledge to lapse. Suppose wars came again and violent crime, how could the villages now be made secure at nights? So they asked; but the young men did not heed them. The modern reporter cannot realise of course that the normal condition of men on the hills and in the woods is that of material war with the brutes, to say nothing of human beings of hostile tribes, savage or "civilised." He continues:—

"This was the end of the prophet and his activity. He himself and some fourteen of his men were found dead after the fight was over, and how many wounded escaped and afterwards died in the jungle, no one seems to know. About thirty guns were found, so it appears that they were ready for a fight."

## Note.—

Nothing could be more unfair than this suggestion. These people had a few guns of a kind and could make a little gunpowder before gunpowder was known in Europe. Those of them on the north are on the fringe of *China*, be it remembered; and tigers and leopards are frequent on the hills. During the trial of this case, a few days ago, I saw and had a long talk with Toungoo hillmen who showed me the skin of a "clouded leopard" killed lately. They had trapped it, and, when they thought its feet were secure, they closed on it and killed it with cudgels. I have repeatedly known lives lost in such a performance. So a few old guns there may be human life preservers.

The Rangoon Gazette report runs on.—"His (i. e. the prophet's) disappointed followers are now scattered all over the Atsi hills, some of them not in the very happiest state of mind."

Let us not hide the truth by fine words. They are starving, wounded, dying, no doubt, because to send an armed force was one way of trying to understand the teaching of

a new prophet, and a murderous massacre was the punishment of a single shot, and an unpoisoned arrow.

The reporter continues.—

"I happened to meet quite a number of Atsis from the west side of Shweli who were on their way to visit him, but made a hasty return when the news reached them of what had happened. Some of the Atsi villages that I passed through did not wish to have anything to do with us, and the old men particularly were reserved and uncommunicative." (How very odd!) "I found that the people were afraid to speak to me, evidently believing that I was out to find out who sympathised with the mistaken and unfortunate prophet. Another of the reported triumvirate is supposed to have been killed somewhere near the Chinese frontier, but the third is still abroad over in China. He will probably learn a lesson from recent happenings. It would be interesting to know exactly what the man in question taught and aimed at. He seems to have had some ideas which could have been of help to his people. Any leader that induces the Kachins to give up their expensive and destructive form of worship would be a benefactor." (Note.—That, by the way, is what the Chinese say of Europeans. Our reporter concludes.—) "Some such man will no doubt come forward some day, but he should have the advantage of better training and saner views."

"Better training and saner views" means merely English ways and shibboleths, just as in China it means the same but *Chinese*. The difficulties of these poor people are greatly aggravated by the fact that there are such differences in the civilisations touching them, the Chinese in the North, and in the South, the English, French, Tonquinese, Burmese, and Indian.

Although many miles apart, the background of that temporary tragedy was of the same kind as that of the villages that adhered in the Toungoo Hills to Bishop Thomas; and the intervening country was all much the same. Some such issue as this world have been the conclusion of the events that remain to be told, if Bishop Thomas had wavered in his faith in the justice of the Central Government, or if any of his young men had got out of control.

## VIII. 1910.

Letter

" FROM THE REVEREND JOHN HACKNEY,

S. P. G. MISSION, TOUNGOO.

TO THE AKUNWUN,

TOUNGOO.

March 3rd, 1910.

DEAR SIR,

I have the honour to report that the following Karens calling themselves "Kleebo people" were dismissed and their teachers' licenses revoked by the Lord Bishop of Rangoon in January, 1906, since which date, however, they have continued to evade taxation. Moreover their leader Thomas Pellako alias Saw Doo (an ex-clergyman) has ordered all Karens married by him to refuse to pay taxes and to refer the tax collectors to himself. He has promised to exempt all Karens from taxation. The names of these men who have not paid taxes since 1906 are as follows :—

NAME.	VILLAGE.	CIRCLE.	TOWNSHIP.	REMARKS.
Thomas Pellako	Morkoodoe	Kyathaung- daung	Tantabin	ex-clergyman
Tah Bee	Morkoodoe	"	"	ex-teacher
Pellay	"	"	"	"
Sho Mow	Go Kee	"	"	"
Bo Nah	Bogalaygalay	"	"	"
Tah Pyaw	Pyaungtho	"	"	"
Tah Ker	Berkaleko	"	"	"
Tah Pah	Thelepawah	"	"	"
Mah Sho	} Kyoukpon	"	"	"
Mo Poo		"	"	"
S'Kway	Garmuder	"	"	"
Tah Bwee	Bawmo	"	"	" in Leiktho Township
Yea Po	Moungdaingyi	"	"	ex-clergyman
Ker Doh	Kanyutkwin	"	"	ex-clergyman
Tah Nah Oo	Namichin	about 4 miles East of Kanyutkwin		} ex-teachers in Oktwin Township
S'Bwayee	Nyoungkyidauk	about 2 miles East of the station		
Barnabas alias	Institute	Toungoo		
Mah Tah				ex-teacher

These are all under Myook Maung Le except 14, 15, 16 and 17. There are many more Kleebo Karens evading taxation but I do not know their names.

I have the honour to be,

Sir,

Your most obedient servant,

(Sd.) JOHN HACKNEY."

Only 11 of the 17 here named were in one revenue circle with Bishop Thomas, and that is why in other parts of this judgment 11 are mentioned and not 17.

The letter contains two grave statements which are *not* true.

First, it gives a list of men who are called *ex-clergymen*, *ex-teachers*, and says they evaded taxation.

Now *ex-clergymen* and *ex-teachers*, if these words mean men who have ceased to earn their livelihood as clergymen and teachers, are liable for capitation tax like other villagers; and the natural and inevitable meaning of the letter is that these men were such men.

Mr. Hackney admitted he knew these men *were still* earning their livelihoods as clergymen and teachers. Indeed if the Deputy Commissioner had sent for and questioned him, I am satisfied from Mr. Hackney's appearance in the witness-box and the tenor of this letter that there is no doubt he would have said so. If then the Deputy Commissioner had explained to him that under section 36 Lower Burma Land and Revenue Act, Directions section 89, preachers and teachers in general were exempt from capitation tax, and that a Deputy Commissioner had no lawful authority to discriminate against Bishop Thomas and his adherents because they were no longer in communion with the Church of England, this case would never have been heard of. Nothing more would have happened. I once quenched in that way a similar foolery when I was myself a Deputy Commissioner, and no doubt it has often been done.

The second misstatement which Mr. Hackney admitted he intended was if possible more serious. It was that Thomas Pellako had arrogated to himself the power to exempt other Karens from taxation.

This was suggested by the letters Mr. Hackney had

received, and was made in good faith, though hardly with due care and attention. There is no good evidence to support it. The contrary in fact is proved, that the secular adherents of Bishop Thomas, poor though they were, admittedly the poorest of the Church of England people, have been regular in paying their taxes, and are a law-abiding and peaceful community. At this trial all the allegations of backwardness in these normal payments faded away. To the District Magistrate in the course of this enquiry, and in a revenue report, Maung Tet Pya, the subordinate tax collector to whom it first fell to make this demand, said that Bishop Thomas had prevented his men paying. He could not deny the revenue had been paid, but said he had difficulty during the last two years. He gave no instances. On the other hand, if the allegations were true that the normal collections were hampered for the last two years, the accounts were available to prove it, and in such a matter it is common sense and a legal maxim too to trust no evidence but the best available.

However we do not need to leave the matter in doubt, though it would suffice to do so, as the burden of proof is on the prosecution.

There is a mass of defence evidence (S.T. pp. 232, 233, 236, 237, 238, 239, 240, 243, 244) to prove that the man accused was continually earnest in preaching payment of all lawful dues. He advanced funds to men who had not enough cash in hand to satisfy the tax collector. This is completely confirmed by the prosecution evidence, when that is sifted. The Township officer, Maung Le, who knew best of all said (S.T.p. 80) :—"No taxes have been refused at all by any one but the preachers and teachers. All their villagers paid their taxes as usual. Nobody was backward. There was no question about any delay except in respect of the taxes due from Thomas Pellako and the preachers and teachers, 11 in all, total tax for the year Rs. 22."

Still more convincing if possible was the reluctant admission of the Reverend Ah Kwa, Mr. Hackney's right hand man.—"It is true I never heard of taxes being refused till last year and only about the taxes due from preachers and teachers."

That this was the least he could have said appears from a letter in evidence, Exhibit D, which he sent to Mr. Hackney, under date 10-10-1910.

" Dear Teacher,

There are still 9 strong families belonging to our Church in Muploder village. The gun in this village belongs to Headman, Waker..... Waker is our strong Churchman, and his gun need not be returned before the time expires..... As for Mortosai, I asked him every time I saw him whether he was a Kleeboite He told me that he was not.....

" You told me to visit the Kleeboites on the other side of Kleelo, and I admit it is a good thing to do. But I think it is not worth while, because, after our visit, *the Satan will go round and forbid the people to listen to Christian teachers and tell them that Christian teachers are liars.* For these reasons, I think we had better not go; but if there are any true Christians left, they will come and ask for water," (explained, water of life) " themselves. *Kleebo teachers who have not paid taxes are those from whom taxes are demanded from the Government.*" (A clumsy translation which may be better put thus:—*The people who have not paid taxes are Kleebo teachers from whom taxes are demanded by the Government.* The original translation proceeds.) " There is nothing more than this. *Kleebo teachers have not paid taxes because Thomas forbids them to do so, and because Thomas told them that he (Thomas) was king. He forbids them strongly and also told them that it was not necessary to pay taxes to the Government.* All these lead us to think that he is against the Government; and why does not the Government take any steps against him?

I am your brother in Christ,

Priest AH KWA."

There is a pleasant remark to make about this, and one not so pleasant. The pleasant one is that it helps us to believe Mr. Hackney *sincere* in the mistaken statement in his letter of 3rd March. Otherwise the Reverend Ah Kwa would probably not have thought it needful to enlighten him with the news that the refusals of taxation were limited to the heretical preachers and teachers.

The remark not so pleasant is that Mr. Hackney did not as he should have done then correct his misstatement, and the reason was palpable. He could not believe even the Reverend Ah Kwa when he had anything to tell favourable

to "Thomas"; though it is plain he could swallow any nonsense from any quarter if it told on the other side. That Mr. Hackney did not believe this is not a conjecture, but plain from his own evidence. Tet Pya was too ill to give evidence orally in this Court and Mr. Hackney was the only man who said in the witness box that the ordinary revenue collections were hampered (S. T. p. 17), adding:—

"I know 4 men were in jail for refusing to pay their taxes. I know because I heard of it from my clergy and laity."

As Mr. Hackney himself knew nothing, this was not evidence. I allowed time for the Public Prosecutor to get more details. Ultimately Exhibit P was produced. It related to two of the four men Mr. Hackney meant, and showed how they had been convicted and punished under the Village Act, one with a fine of Rs. 5/-, a great sum to a hill Karen, more than two years taxes, and the other sentenced to a month's imprisonment, a punishment far more terrible to a hill man than to any other, because he is apt to sicken in the jail. The record shows the revenue collection was only the occasion or excuse of the offence. They were not dealt with for default in revenue but punished for *failing to come to the sound of a gong* when beaten by a Headman, who was apparently of a hostile sect. In short all the probabilities are that this was a bit of religious persecution, the insolence of a dog in office. It was certainly not a proceeding for arrears of revenue. The other two men mentioned by Mr. Hackney could not be traced. If they had been revenue defaulters they could have been.

I think that by the end of this trial even Mr. Hackney must have been convinced there was no refusal of lawful ordinary revenue. Everybody else admitted it long before. It is a pity he was so credulous as to mislead the revenue authorities as he did by his letter of 3rd March, 1910. Mr. Parsons the then Deputy Commissioner on that very day signed a formal order sending it on to Township Officer, Maung Le, "for enquiry and report."

Township Officer Maung Le had learnt his lesson. He instantly did what he supposed (quite correctly to all appearance) to be wanted. He ordered the man Tet Pya to collect the money quickly. (Exhibit O page 8, date 8-3-10).

Perhaps the next document worth quoting is the letter dated Mawkudo village and 15th March, from the accused Bishop Thomas to the Deputy Commissioner.

"Honourable Sir,

May you live long as God is alive. On the 14th March, Thugyi of Kyathaungdaung (tax collector) sent me a letter of your honour, which gave me much surprise, and the same was replied (is now replied to) on the 15th. In your honour's letter, it was found that taxes should be levied from all the followers of 'Kleebo.' *As your honour have already known about and agreed with 'Kleebo,' is it required that the followers should pay taxes? Kindly refer to your rules.* It is not the case of each empire, (meaning, my kingdom is not your kingdom.) Has the Government of British Empire any right to levy taxes from the Government of Germany? We are the followers of "King Kleebo" and believe in "Kleebo's laws" which have been seen in Romans 13:2. "Whosoever therefore resisteth the power, resisteth the ordinance of God: and they that resist shall receive to themselves damnation." Again in verse 7, "Render therefore to all their dues; tribute to whom tribute is due, custom to whom custom." According to these laws I should have right to levy taxes, (meaning really, receive religious contributions). Therefore, *it is quite contrary to Government rules and Bible if you levy taxes from us.* Your letter, ordering submission of taxes was replied and is herewith submitted, (meaning, is now respectfully answered). Solicited for your reply.

Marked as }  
received 2-4-10 }

(Sd.) THOMAS,  
"Receiver of offering."

Précis-writing is a fine art, and difficult to practise. Perhaps it never was worse done than by the office summary of this letter written on it, and which seems to have been all of it Mr. Parsons read.

I transcribe.—

"The gist of this letter is that Kleebo people should not be taxed, but that their leader Thomas has only the right to levy taxes."

(Sd.) H. CHANEA,

3-4-1910.

"Reply to Thomas that he must comply with orders and that the taxes must be paid. Thomas has no right to levy

taxes, which are the due of Government, and forward to the D. S. P. for information.

(Sd.) O. S. PARSONS,"

3-4.

The following official letter was accordingly issued.

" Thro. T. O. TANTABIN,

(Draft)

Revenue Department.

No. 2881/ $\frac{606}{111}$  of 09-10.

To

THOMAS,

MAWKUDO VILLAGE,

TANTABIN TOWNSHIP.

..... Memo .....

With reference to your application, dated 15th March 1910, you must comply with orders and that the taxes must be paid. You have no right to levy taxes which are the due of Government.

(Sd.) BA KYAW,

*For D. C."*

By this time the misunderstanding was complete. If only Mr. Parsons had understood the Bishop's letter, which apparently the state of his health prevented, the words in it I have underlined should have in legal phrase put him on enquiry.

" As your honour have already known about and agreed with 'Kleebo' is it required that the followers should pay taxes? Kindly refer to your rules..... It is quite contrary to Government rules and Bible if you levy taxes from us." The poor Karen Bishop was surely pointing to the rules notoriously exempting preachers and teachers, and pleading former good understanding, and begging to be left un-insulted : for as Township Officer Maung Le admitted, (S.T p. 84):—

"The unquestionable meaning of demanding the tax from Thomas Pellako and his subordinate preachers and teachers is that they were not really preachers or teachers. It would be unthinkable to make such a demand of a recognised preacher. It would be a great insult to do so whether he was a Buddhist or not."

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## IX.

### 1910 CONTINUED.

Here is a letter for the Deputy Commissioner.

“ From

THE TOWNSHIP OFFICER,

TANTABIN,

*Dated Tantabin, the 24th June, 1910.*

Sir,

I have the honour to report that after having received proceedings from the Deputy Commissioner ordering me to collect capitation taxes Rs. 22 from Thomas Pellako and his subordinate teachers, I sent the tax tickets together with my order to Maung Tet Pya, Sawke Choke of Tabye Circle, to go and collect capitation taxes from the said persons. He went with the tax tickets to Mawkudo, Thomas Pellako's village, and demanded for the tax from Thomas, who refused to give it, and who at the same time issued his order to his teachers not to pay any tax when demanded. The Circle Thugyi was afraid that owing to this trouble he might be late in sending in the tax; he sent in his own money in lieu of the tax hoping that he would get it from Thomas Pellacco and his men later.”

This circle thugyi Tet Pya appears from the Deputy Commissioner's record (Criminal Miscellaneous 99 of 1910 p. 11) to be a Karen Christian of the Church of England who has remained in it and not joined Bishop Thomas. As already noted, his general allegation of delay in collection seemed untrue. So it is a reasonable guess here that he paid up in advance to the Treasury the Rs. 22, which he had to collect from Bishop Thomas and 10 preachers and teachers in order to facilitate the persecution, lawful prosecution he would think it, of Bishop Thomas and Co. As a revenue officer, he would know that if he thus paid up the money in advance, the chance of the Deputy Commissioner going into the matter to reconsider whether it should be levied at all would be very much less than if the amount were still shown as outstanding.

Perhaps he did not think of that. As the Myook now reports, he had now "applied for a warrant to seize the white pony belonging to Thomas."

On 14th July, 1910, a new Deputy Commissioner passes orders to press for payment. The result is reported in these terms.—

"Thomas Pellako, on receiving a notice from the Township Officer, Tantabin, demanding him for payment of capitation tax on him and his followers, object paying of such to any other officer except to the Deputy Commissioner alone. He said that he has informed the Township Officer, Tantabin, never to demand him for such in future ; and will write to the Commissioner, Tenasserim Division, if the Township Officer issues such further notices to him. For, he says, quoting from Bible I Corinthians 7 : 23,—'Ye are bought with a price ; Be not ye the servants of men'."

The Township Officer under date 3rd September, 1910, reported :

"Sir,

Beg to report that notices issued to Thomas Pellako to pay his capitation taxes *for himself and also for his ex-teachers* within 10 days ; but after receiving the notices, he returned them with a letter to Deputy Commissioner and one to me, refusing to give the taxes.

I then issued a Process and made attachment on his pony. I did not receive any report from the Process Server or from Saw Ke Choke Maung Tet Pya as yet.

Thomas Pellako pays no attention to my orders. If my superior officers think fit, I am of opinion that the Deputy Commissioner to send order to him to bring the capitation taxes Rs, 22 on a certain date. His ex-teachers wish to pay, but he forbids them not to pay, so a process was issued to make attachment on his property alone.

Submit to Deputy Commissioner.

(Sd.) MAUNG LE.

T. O.

3-9-10."

On this we find the following note.

"Carry out D. C.'s orders in their entirety, and arrest Thomas Pellako and his teachers.

(Sd.) H. C. REYNOLDS,

9-9-10."

This is a young officer who was temporarily carrying on the work for Mr. Gavin Scott, who was on special duty in Upper Burma. Mr. Reynolds is of course quite free from blame: he had to keep things in train as Mr. Scott had left them. Township Officer Maung Le too from start to finish seems to have kept within the line of his duty, doing whatever he thought the Deputy Commissioner wanted in the way desired, and reporting everything.

Neither he nor Mr. Reynolds seem to have noticed that in issuing a warrant against Thomas Pellako alone for Rs. 22/- and Rs. 7/8/- costs, being the total capitation tax claimed from Thomas for himself and 10 other teachers, he was acting *illegally*. By a clerk's carelessness, the very name of Thomas was omitted from the warrant, (No. 1), but the white pony was safely specified. We learn from the evidence of Maung Tet Pya to the Deputy Commissioner (S. T. p. 202 reverse): "Pellako said that his white pony was given him as *ahlu*, (a religious offering); and he could not give it up. I said I must arrest" (meaning, seize it).

Thus the insult necessarily involved in the illegal demand of the capitation tax was crowned by the insult of seizing the episcopal pony.

The tax-gatherer returned with the following letter from Bishop Thomas to the Township Officer or Myook Maung Le, dated Mawkudo, 2nd September 1910 (Exhibit X):

"Dear Myook,

Thugyi Tet Pya brought a warrant to attach my pony for not paying taxes. *I am not a man who pays taxes. Dulemintha and his teachers need not pay taxes.* For the above mentioned reasons I did not accept the warrant and sent him back."

Dulemintha means "Bow prince," It was a kind of nickname that by this time had begun to be applied to Bishop Thomas. Its origin is unknown. About twenty guesses have been mentioned in my hearing, but there is no evidence,

not a tittle of evidence, to support any one of them. I will not lengthen this judgment by weighing the wind. Suffice it that Bishop Thomas, hearing subordinate officials applied it to him, and being filled with the episcopal church's exalted notion of a Bishop, seemed to have connected it with an alleged conversation with the Commissioner (Mr. Tilly), who perhaps was trying to delimitate areas and separate the hostile sectarians. At any rate it is clear that Bishop Thomas, though he never liked the name to all appearance, was not ashamed to assume it, in obedience to a law of human nature of which examples might me found in almost in every history. When men apply to a man or party a nickname that fits or is tolerable or handy, the tendency to accept it and say, "Well, then, call me so, and I am none the worse," is perhaps as old as humanity. So Thomas was not ashamed to be Dulemintha, and hoped it might be a sign that he and his followers would be some day freed from such pinpricking as, for example, the prosecution of the villagers who seemed to Mr. Hackney to be in jail for refusing their taxes but were not.

*What is clear enough from his letter to the Myook is that he was not assuming a hostile attitude to the authorities, and not claiming more for himself and his teachers than every preacher and teacher in the land was entitled to receive.*

The Myook correctly reported the result.

" Through the Subdivisional Officer, Pyu.

To

To THE DEPUTY COMMISSIONER,

TOUNGOO,

*Dated Tantabin, the 4th September, 1910.*

Sir,

In obedience to your order, I issued 10 days' notice to Thomas Pellacco to pay his capitation tax and for his ex-teachers, but he refused to receive the notices neither gave the demanding tax. I then issued Process to seize his pony but he would not let Process Server Sawke Choke Tet Pya to touch the pony. The last step to be taken is to arrest himself. He is the leader in Kleebo section. To

arrest him among his own people at the frontier will result in fighting or big quarrel. If my superior officers think fit, please send 10 Karen Military Police with arms to go and bring him to Toungoo or Tantabin.

(Sd.) MAUNG LE,

T. O.

13-9-10."

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## X

### THE LIMITS FOR TAXES.

By this time Mr. Hackney had made the stern proposal which it was said "would set every missionary in the country against him," to raise the taxes on all these hill Karens above the present rate of Rs. 2/- per house. He considers that the missionaries have been exploiting them and that their poverty has been exaggerated. What led him to these unusual conclusions was the liberality of the Kleeboites to Bishop Thomas.

A letter of the Reverend Ah Kwa put in evidence seems to shew very limited resources, but I will not dwell on that. There is no doubt these people have been willing to spend on religion recently nearly all they had. But if we realize that they were "*Early Adventists*," as I have explained, which Mr. Hackney and the bishops could not realize, and if we remember how in Europe the expectation that the world would end in 1000 A. D. led to unique religious expenditure, and if we reflect on the patent facts of human nature, we should surely see that what people can give when in immediate expectation of the early advent of Jesus in the sky is no clue to what should be yearly levied in direct taxes from them or their neighbours.

Most of these poor Kleeboites have no means of getting money but by selling things to pedlars. Here is an anecdote of some of their neighbours which I may quote as an officially verified precedent. About 1891-2 great excitement existed in the hill country just south of this locality, in what was then Shwegyin district but is now in Toungoo. The late W. G. Snadden as District Superintendent of Police went to find out what it was about. He found it was an epidemic of measles. In one village nearly every child was dead, and in many more, great numbers, and the pest was still raging. "If it continues it will depopulate the place," he told me. I was Deputy Commissioner. On discussion with the Civil Surgeon, we recalled how one of us had once saved a child dying of inanition in measles by teaching her father how to milk a she-goat. These people sell the goats they breed to pedlars, to get money to pay

their revenue. We did what we could for them on this occasion, but that was next to nothing. *They did not think it worth while to learn to milk the few goats they had as they needed to sell them for their revenue, and thought they could breed more goats for sale by leaving them unmilked.* Thus for the lack of a little milk, children died in swarms.

This fact is one of my reasons for cordially concurring with "all the missionaries in the country" in the opinion that these hill people can bear very little taxation. And if we are right, the delirious excitement can be imagined that arose upon the rumour that because of Kleeboism all the hill Karens were to suffer heavier taxes. But even if we are wrong, the excitement would be great, as any one can see on considering that to raise their rate from Rs. 2/- to Rs. 3/- only would mean more to them than an income tax of 5/- in the pound would mean in England.

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## xi

## THE PROCLAMATION.

By October 1910 Bishop Thomas, flung back on his religious convictions by secular persecutions, had issued and circulated to officials and missionaries as well as villagers, and Mr. Hackney believed to the highest authorities in the country, the proclamation on which this prosecution rests, and which the then Deputy Commissioner failed to comprehend, and was unable to explain, partly because he had never been able to discover what all the bother was about. I will paraphrase it, using the two translations and notes made by the interpreter, and taking the corresponding passages direct from the English Bible, as quoted in the Karen text here. I will not lengthen this judgment by quoting the Deputy Commissioner's remarks upon it. My criticisms would hurt his feelings. Suffice it that he in effect *declined* to look at the document fairly as a whole, but insisted on "stripping it of all the scriptural verbiage in which it is embedded," to use his words. Leaving him aside, let us look squarely at this curious document, remembering the circumstances under which it was written.

The writer believed his Karen Bible and Prayer Book with all his heart, and had all his life been accustomed to look to the English authorities as a child to its parents. It is proved to the hilt, and never was even denied, that no kind of preparation for violence of any sort had been made among the villages that adhered to him, and yet, being on the frontier, they could have made preparations if they had meant violence. He and they had been excommunicated from the Church of England because they called Jesus Christ Jesus Kleebo, Jesus the Beloved Bow of his Heavenly Father, and expected to see him soon return triumphant in the sky. Though they had been excommunicated and worried in a pinpricking way, such as has incidentally been indicated in this judgment, Bishop Thomas had *then a daughter teaching in the S. P. G. school at Toungoo, and sons learning their lessons there*, and about a score of other children from Kleeboite villages were living in a boarding house at Toungoo and attending the S. P. G. School as day scholars, with his approval.

Besides local adherents, he had two thousand about Rangoon and Bassein, it was said. None of them had made any preparations to show they were thinking of an earthly kingdom.

But there had come on him the nickname of "Bow Prince," recalling the nicknames given to the founder of the Christian religion, and then the pinpricking persecutions had taken the form of insulting and illegal demands for capitation tax from him and his preachers and teachers, demands implying, "Ye are swindlers and humbugs, whom Government disowns." Preposterous demands of taxes not legally due were followed by a preposterous attempt to attach the pony given him as a religious offering.

Yet he clung to his faith in the essential righteousness of Government, and somehow seems to have connected the new persecutions with the death of King Edward. "The young King is too busy to attend to us yet," may have been his feeling. "So he may order them to let us alone, and I will be a father to ye, my people." He said a native Baptist preacher whom he named had suggested to him that perhaps America had ordered Britain to leave the Karens alone, so that maybe he was going to be left to rule his people without interference, and that that might be why he was called Dulemintha, "Bow Prince."

What everybody admits, even Mr. Hackney, is that the references to the King-Emperor in this document are full of respect, and the insinuation attempted by the prosecution, that the names of the Royal Family were omitted in the weekly prayers of the Kleebo Church, was triumphantly and completely refuted. The reality below this insinuation is probably nothing but the fixed idea of the English official hierarchy that in some way, too abstruse for western wits to fathom, Kleeboism must be a form of sedition.

Here now is the proclamation.

An occasional note is indicated by brackets.

### NOTICE.

I hereby give notice to the public of what I have already proclaimed. If the Law is true, God is true. There are four things essential to Righteousness.

(1) The King.

- (2) The Bishop (literally the one who presides at communion).
- (3) The Holy Bible which is the word of God.
- (4) The Prayer Book.

The true law is in the Church which keeps to this true way.

Psalms CXIX, 1-3. "Blessed are the undefiled in the way, who walk in the law of the Lord."

"Blessed are they that keep his testimonies, and that seek him with the whole heart."

"They also do no iniquity; they walked in his ways." Therefore God is the Judge of all the earth.

"Shall he not do right?" Genesis XVIII, 25.

If God does right, "All the nation of the earth will be blessed in him." Genesis XVIII, 18.

Therefore said God: "But as truly as I live, all the earth shall be filled with the glory of the Lord." Numbers, XIV, 21.

Wherefore we rejoice and it shall be a blessing to all the Karen people, that our venerable King Edward and his Majesty's appointed Governors have given us, on 8th March, 1910, a Bow Prince for us Karens.

There are those who could not understand this. So they were afraid, like the "Shepherds who were abiding in the fields keeping watch over their flocks by night. And Lo, the Angel of the Lord came upon them, and the Glory of the Lord shone round about them: and they were sore afraid.

"And the Angel said unto them, fear not: for behold I bring you good tidings of great joy, which shall be to all people."

"For unto you is born this day in the city of David a Saviour, which is Kleebo the Lord." Luke II, 8-11.

*Wherefore let all the peoples of the world fear God, but do not fear the English people or the Officers of Government; because with them abide Bishops, and Priests, and Deacons, and the Word of God: and one most important thing is the oath taken (by the Bishops and Priests and Deacons) before they are ordained, that they will perform the Holy Sacra- ments and break bread, and distribute the same to the people as our Lord has commanded them. This they dare not omit. They" (still meaning apparently the Bishops and Priests*

and Deacons)" are bound by their oaths to do thus righteously, and because they are so bound they must divide the kingdom for us "(meaning most probably some such thing as Mr. Tilly or some other officer some years ago is said to have suggested, namely *to share the country side*, keeping enemies apart and no longer persecuting the Kleeboites. It runs on.—)

"For our Lord has commanded them thus, 'Freely ye have received, freely give.' St. Matthew X, 8.

(This immediate quotation from a special message to Christians goes far to confirm my interpretation of the difficult phrase, "divide the kingdom for us," showing it means rather that the Bishop of Rangoon will leave the Kleeboites alone, than that the Lieutenant-Governor will set up a native state. The proclamation runs on.—) "And if they do like this, they thereby keep God's Commandments, and are in the same company with God's angel who says,—

"Holy, holy, holy is the Lord of Hosts.  
The whole earth is full of his glory."

Isaiah IV, 3.

The Revelation of St. John also says, "And he hath on his vesture and on his thigh a name written, *King of Kings* and *Lord of Lords.*" Revelations, XIX, 16.

According to these words we remind you Karens that as ye have received freely, so must ye freely give. By so doing you also join the host of Angels mentioned by Isaiah.

Now has our venerable King passed away from this earth. Dulemintha confirmed unto us is his bequest, and given to us by him. There is nothing to fear.

"For where a testament is there must also of necessity be the death of the testator.

"For a testament is of force after men are dead: otherwise it is of no strength at all while the testator liveth.

"Wherefore neither the first testament was dedicated without blood." (Hebrews, IX, 16 to 18.)

(Sd.) BISHOP THOMAS.

Even Mr. Hackney calls this only "mildly seditious." The Township Officer, Maung Le, saw nothing seditious but the phrase, "do not be afraid of the English....Officers of Government." The whole of the passage where these

words occur means that the English people are wisely guided in righteousness by good bishops and clergymen, and so neither the Karens nor anybody else need be afraid of them.

Truly, the heart sees farther than the head: and this poor Karen Bishop, looking at the world through the narrow glasses the Church has given him, may be nearer to the mark than the more widely equipped but less sincere and humble critics who impute all manner of imaginary foul motives to the English: but that English parsons and magistrates should think the man seditious because he wrote and spoke of them thus is one of the absurdities of reality which transcend the wildest freaks of fancy.

There is no question of irony. Bishop Thomas would not know what irony meant. He probably never wrote or spoke a word of irony in his life.

Driven to bay by his persecutors, insulted and about to be spoiled and his flock maddened around him, he issued this proclamation to vindicate himself, and sent it to all the officials and others. It was in October 1910 that the Deputy Commissioner saw it, and *his* study of it was interrupted and illuminated as if by the glare of conflagrations by the return of his letter, because it was not addressed to *Bishop* Pellako.

If nothing else was treason, that was, in the eyes of the then Deputy Commissioner. So with the minimum of delay, a company of infantry (Military Police) 26 strong, under the Gurkha Subahdar, Tun Dun, with rifles and ball cartridges ready for action, set out to arrest this imaginary rebel in the beginning of November, 1910.

## XII. THE ARREST.

The history of the arrest is unexpectedly the pleasantest part of this business. At the trial Subahdar Tun Dun (Gurkha) deposed.—

“I arrested the accused. I went with a force of twenty-six men to do so, and found him in his village, Mawkudo. There was no trouble at all.

“I reached his house 2-30 a.m. on 12th November, 1910, in the middle of the night. I knocked and he opened with a light in his hand. I told him my business, and he gave me a seat and a drink of water and sat down. I handed him the warrant, and he read it and said he would come.

“He did come. Between 50 and 100 followers came with him at the start, but half a mile from the village he told them to go home and they went. Four or five men only remained and accompanied him and us to Toungoo.

“I saw no swords or guns.

“There was no violence at all and no loud cries. The people who followed in a crowd did so quite quietly.” (S. T. pp. 70 and 71).

Twe Yu, the straight spy and honest reporter, who had been the guide to the Subahdar’s party, adds a few particulars.

“When he was being led away after his arrest, the people following him were singing words” which the witness said he could recall in effect, and declared to be:

“Our King will come : may he  
conquer His enemies.  
If people have not faith in Jesus Kleebo :  
they will pass under seven arrows.  
Master Kleebo will ask for taxes :  
the Stork comes and interferes.  
Back the Stork shall go ;  
and it shall die in the sea.”

This is rather a neat hymn when it is understood. The taxes “Master Kleebo” i. e. Master Jesus asks and gets are the contributions to the true Kleebo Church. The

stork that comes and interferes is the orthodox church,—meaning the Bishop of Rangoon, the Rev. John Hackney, the Rev. Ah Kwa and the rest. The line,—

“ Back the Stork shall go : and it shall die in the sea ” has a strange and stern significance : but it is a Declaration of *Spiritual Independence*. There is no sedition about it.

It is more likely that witness Twe Yu really heard this than that he invented it. It was probably sung over and over again as they gathered and walked away, so that the mere recollection would be no great feat to him.

A halt seems to have been made about half a mile from the village, where the Subahdar tell us he sent the people home. Twe Yu adds : “ After this hymn was sung, Thomas Pellako and his followers all prayed together. Then Thomas Pellako shook hands with each of his followers, and they departed back home.” The Subahdar’s only difficulty on the long march in was that his strange prisoner wished to halt on the Sabbath. But he was persuaded to proceed.

The perfection of Subahdar Tun Dun’s conduct of this delicate operation hides the difficulty of it. He did just what was needed in the exactly best way. It is a very difficult and troublesome business to effect a night surprise in these roadless woods, where at night every obstacle on the uneven footpaths is smeared by darkness. And unless one manages to keep out of farthest earshot till after 1 a. m. and yet make the surprise complete before 3-30, you might in general as well come by daylight. And accidents are hard to avoid. Here everything passed off smoothly and successfully. If the alarms of the Deputy Commissioner had not been a nightmare, the dangerous rebel would have been secured or killed with a minimum of loss or risk. The object of the march being the arrest of a man as inoffensive as any Quaker, it was done without hurt or evil words or actions. The Court must congratulate Lieutenant-Colonel Parkin and Captain Carey on the performance of Subahdar Tun Dun, and of the honest non-commissioned officer, Twe Yu, who guided him, and who had by sheer dint of truthfulness played the spy in a perfectly honourable way.

(P. S. Ratanbir Rana is the correct Hindustani name of the Subahdar here called Tun Dun.)

### XIII THE FIRST TRIAL.

Arrested on 12th November, 1910, and nominally detained for an enquiry about putting him on security for his good behaviour, Bishop Thomas, as the then Deputy Commissioner himself reported, was ready to give any security wanted, but was nevertheless not released.

Here it may be noted that four of his supporters arraigned along with him in that case (Criminal Miscellaneous 99 of 1910) were at last let out on bail on 6th February, 1911. One of them was a man 65 years of age. I suppose their superfluous surety bonds shall now be expressly cancelled. The record was referred to by both sides at this trial, as this case arose out of it; but the only thing specially noteworthy here is that two of these men told the then Deputy Commissioner why they had paid no revenue.

"Tabi.—

"Question. Have you paid your revenue yet?

"Answer. Buddhist pongyis don't pay revenue. So, as I am a Saya (preacher or teacher) I did not pay, I did not petition for exemption as I did not know" (it was needful to do so.) "If I am ordered by Government to do so I will pay." This was 5th December, 1910.

If the then Deputy Commissioner had been open to light, these plain words should have put him "on enquiry."

Here it may be as well to dispose of a fallacy suggested in the unrecorded or implied question that elicited the statement "I did not petition for exemption as I did not know" (it was needful to do so).

It is ridiculous to excuse the mistake of the Deputy Commissioner and Mr. Hackney by saying these men were rightly taxed because they had not applied for exemption. They should never have been assessed. The *assessment* was an outrage, the facts being notorious. They were mostly middle aged or more. Thomas Pellako was 50: and neither he nor any of the others in question *had ever been assessed before*. That is the decisive circumstance which no quibble can hide.

Another of the men in this case was Pe Le.

Being asked, "Have you paid your revenue for this year?" he replied, "No. It is not the custom for sayas to pay revenue. *If I am released I will pay.*"

A touch of nature makes the whole world kin, and that is a very natural touch. But the Deputy Commissioner saw nothing, and never asked himself whether all the fuss about arrears of revenue might not be about similar unjust demands.

Under date of that very day, 5th December, 1910, he applied to the Commissioner of Tenasseriampet for the sanction of the Local Government to prosecute "Thomas Pellako" under sections 121A and 124A, Indian Penal Code, chiefly on these grounds.

- (1). The refusal to accept the Deputy Commissioner's letter.
- (2). The proclamation or notice, Ex. C, duly misinterpreted.
- (3). The "concrete fact that Thomas Pellako and his followers have refused to pay their taxes for the past and the present years."

(Note here the twofold mistakements suggested:—

- (1) that they had paid in previous years, and
- (2) that they had refused taxes *unquestionably due.*)

- (4). "The security demand (Rs. 1000/-, unusually heavy) will be readily forthcoming, it has in fact been already offered."

The Deputy Commissioner did not seem to realise he was abusing his authority by detaining in custody in a bailable case, for as yet no prosecution for sedition had been sanctioned, a man who offered the highest security required.

This prosecution was sanctioned on 24th December, 1910, and on the allegations reported for facts by the then Deputy Commissioner, I do not see even yet how the sanction could have been refused. Well said once a cynical Lord Chancellor:—"Do not make mistakes in logic. They are sure to be found out. The facts remain at your disposal."

The unexpected does sometimes happen, however; and the truth comes in sight.

## XIV.

### THE BISHOP OF RANGOON INTERVENES AGAIN.

Ex: AA, the Bishop's charge, is dated January 11, 1911. Mr. Hackney admits hearing the Bishop deliver it, and says Ex: AA a printed pamphlet is "circulated all over the world."

"Brethren in the Lord,

"We are met together here as consecrated and ordained members of the Sacred Ministry of Christ's Holy Catholic Church—the Church that is His Body—that is appointed by Him to be the salt of the earth, the light of the world...

..... "We hold we believe a unique position in the world.... Our influence is greater than our numbers would seem to warrant. As the representatives in India of the National Church of England we have the allegiance of far the greater number of those for whom the Government of India thinks it right to make religious provision....

"We are met then as Clergy of the Catholic Church, the English branch of it, called to work in the Indian Empire

..... We have also lost from the ranks of the Clergy here on earth, through death, Joseph Maw Sah Paw.... One also, Yea Poh, has left the Church to join the grieved schism of Kleebo in the Karen country, while, to the shame of the whole Church of which he was once an ordained minister just as we are, Thomas Pellako, the leader of that schism, now lies in Toungoo Jail awaiting the completion of his trial for a political, or possibly even a criminal, offence. It is at least satisfactory to know that his fall will probably mean the end of the schism."

To explain the effect of this document, it should be added that the Magistrate who was to try the case was a member of the Church of England, and occasionally, where no parson was available, held services.

Fortunately, and most properly, he acceded to the request of the defence to commit the man to this Court, instead of disposing of the case himself.

The accused himself is now probably indifferent, not unfriendly, to my opinion that the Reverend John Hackney and the bishops erred in good faith, through inability to comprehend the possibility of Bishop Thomas and his people being sincere. But if there had been any attempt at waging war or sedition, and it had been the duty of this Court to convict, nothing could have convinced either Bishop Thomas or any one else that the Court was not decreeing injustice at the dictation of the bishop, even as it is now the prevailing suspicion that the Deputy Commissioners wilfully shut their eyes to the illegalities of the revenue proceedings. The persistent refusal of bail is sure to be explained in the same way. My own opinion is clear that the successive Deputy Commissioners had become confused and alarmed. The last of the three was of course the least to blame, if he is to be blamed at all. In committing the case to Sessions, he exercised his discretion aright and surely proved his impartiality.

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## XV. THIS TRIAL.

The magisterial enquiry was delayed by searches and enquiries that consumed much time without result.

It was only on 18th March, 1911, that the case was committed to Sessions, and long after then that the papers were sent to this Court. As soon as possible after I had read them, on 25th April, 1911, I peremptorily released the unfortunate man on security.

It is only to avoid stirring up ill-feeling that I abstain from commentary on grotesque details of evidence worthy of a Gilbert and Sullivan opera. On reading the Magistrate's record I could not discover how by any fluke a conviction could be possible.

It is probably needless to lengthen this judgment further by extraneous proofs of the innocence of Exhibit C the Notice or proclamation; or additional evidence of the innocence of the accused Bishop Thomas of the alleged interference with revenue collections; but one more item may be mentioned.

The Reverend Ah Kwa is Mr. Hackney's chief informant and an orthodox S. P. G. missionary, a Karen Mr. Hackney so to speak: and he shows every disposition to be hostile to the accused Bishop Thomas. He said among other things.—

"Shortly before then (the promulgation of the Notice C) there was another letter I saw which purported to come from Thomas Pellako and it ran.—'The Government is making a demand for taxes which you are not to pay. You are to pay them to me.'"

Assuming this is historical, "shortly before" can hardly mean more than a month or two: and the Deputy Commissioner received the notice in October. This letter then would be probably dated sometime about August. The ordinary collections of "Karen Tribute" or capitation tax are generally finished *long before* then, months before then; and so the conclusion is unavoidable that the taxes in question can have been nothing else than the capitation tax illegally demanded from the preachers and teachers.

I might multiply reasons—though it would not be worth while—to support a guess that a confused recollection of this letter and what was said about it was the only historical justification for Exhibit L, Mr. Hackney's letter of January 23rd, 1911, to Mr. Gayer, Deputy Commissioner, who as *District Magistrate* was enquiring into the case.

"Private and Confidential for Toungoo,  
Government Prosecutor only. January 23/11.

Dear Mr. Gayer,

I am on my back but I feel I must send this communication. When asked by the defence to point out the seditious clauses in the Court copy of the Kleebo proclamation, I was amazed to find that the words 'therefore if they (the officials) should demand payment of the taxes you must not pay them; and if they (the officials) should fight we must fight too,' or words to that effect." (Sentence unfinished; means,—were wanting.) "At first I thought it was a trick of the imagination, but I find that there were actually two versions of the proclamation, the Court version for distribution among the English Officials, and the 'fighting version' for secret distribution among the Karens only. The Reverend Ah Kwa is prepared to state on oath that he saw this fighting version in the hands of the Kleebo Agent, S' Kway of Garmuder Village, near Kleebo headquarters, Mawkudo. S' Kway read this 'fighting version' to Reverend Ah Kwa, and refused to give it up when requested to do so by Ah Kwa. In my opinion the search for and confiscation of all boxes or documents should be made simultaneously at Mawkudo and Gammuder.

Yours Sincerely,

(Sd.) JOHN HACKNEY."

It would take too long to discuss the possible origin of these strange beliefs. It must be enough to note that in the end both the Rev. John Hackney (S. T. p. 43) and the Rev. Ah Kwa (S. T. p. 111) had to admit they never saw the mythical fighting version. It is only by steadily remembering the perverse conviction of Mr. Hackney about Bishop Thomas' sedition that one can riddle out his misstatements and yet believe, as I do, in the general honesty of his intentions. Great is the power of a fixed idea.

"When beams of warm imagination play,  
The memory's soft figures melt away,"

and dreams appear like things we see by day.

The assessors seemed unusually intelligent Burman Buddhists, and followed the evidence closely. They expressed themselves as follows.—

Ko Po Zan.

"There is absolutely not a tittle made out clearly against Thomas Pellako. There is not a shadow of excuse even for suspecting him.

The demand of taxes from him and the other preachers and teachers was indefensible and wrong, and it is certain he was quite innocent of the accusation of resisting taxes.

He is a law-abiding preacher of religion who preaches to those who wish to listen to him.

He is an innocent man.

It is most necessary and proper that such a good man having been unlawfully confined on a false accusation which misled the Deputy Commissioner, some compensation should be given him by Government. He deserves to be most honourably acquitted."

Ko Po Hman.

"I concur heartily in all that Ko Po Zan the 1st Assessor has said.

It is not a *doubtful* case, for acquittal on that ground. It is not doubtful whether he is guilty. It is certain he is innocent.

I concur in recommending compensation to him."

In these statements, I at once said I concurred, to relieve the tension, which was great, and presently released the accused from further personal attendance. His lawyer attends to receive this judgment, and get a copy for him.

## XVI. OBITER DICTA.

Advice is generally an impertinence ; and to the Bishop of Rangoon suggestions from any earthly tribunal may seem dangerously like advice. But in spiritual as in mundane matters, it may happen that the bystander sees events more clearly than those who are involved in them ; and so in an obliging way, with no excuse but human good will to everybody and a love of peace, and I confess a certain sympathy for simple country folks, I will venture a few words, begging the bishop's forgiveness in advance.

In the remarkable charge to his clergy which is an exhibit in this case, he mentions he has an extra £ 1,000 to dispose of for *Karen* missions. He could not do better than spend a part of that, perhaps £ 300/- or Rs. 4,500/-, in a present to Thomas Pellako, addressing him as in courtesy a gentleman is bound, Bishop Thomas, perhaps even calling him once more as all his predecessors did till 1906, "a brother in the Lord", and saying frankly he congratulates him on an acquittal as honourable and complete as ever any man received from a Court of Justice, and adding that, knowing the poverty of his people (this would not be taken amiss, but under the circumstances, the contrary), he sends him this money as a free offering towards his expenses. Such an investment would be more fruitful than any other now open in Burma to the Society for the Propagation of the Gospel.

I am not suggesting impossibilities. He was a wise man and knew England well, who wrote,—“The Church of Rome is infallible, and the Church of England is never wrong”. In common business and official life too, the bishop may be interested to hear, the working rules are the same. Men do not usually admit their own mistakes. So I am not suggesting any admission or apology. Let by-gone blunders be bygones : but act now on the facts. Here is a man who for many years was a priest in your church, a faithful and acceptable “brother in the Lord”. He fell into the error of believing in the early advent of Jesus. I agree with you in thinking it an error, and he may in time, by the mere lapse of time, come to think it so himself. But

it is an error natural to a man whose main reading has been the Bible and the Prayer Book. It is the *overgrowth* of faith that caused it, not the sterile lack of faith which wearies the hearts of most missionaries. It is an error he shared with many of the finest spirits that ever indulged in the hopes of Christianity.

This man for that error was ejected with contumely from your church in 1906; but some thousands of your converts trust and follow him as bishops never have been trusted and followed in Europe since primitive times; and now he can be conciliated *cheap*. Why not?

I do not suggest that either he or any of his flock shall soon return to your fold. Transplanted trees can seldom be transplanted back again. But the gift and the act suggested would turn enemies into friends, which is surely a Christian thing, and one well worth the money. Do not imagine there is any third course possible. *You* can ignore him in your house in Rangoon; but Church of England villagers living contiguous to his cannot ignore or be ignored in that way. Friends or enemies, they must be. They are enemies now. You can, if you act thus and quickly, perhaps make them friends. *Your example of conciliation would be copied*, in the villages and schools; and peace return, instead of the taunts now flying about like mud. The village brawls are the consequence of past and present mistaken episcopal invectives. Quarrels between old acquaintances and associates are always the bitterest; and there is no fairer opportunity of ending them than the unexpected disclosure and complete exposure of the misunderstandings whereby they began.

About 1903 or 1904, while he was still a zealous priest of your church, Thomas Pellako seemed headstrong in setting up schools in the villages, and refusing to register them in the Department of Public Instruction. It may be remarked that many of the best missionaries sympathise with him in this, and the best teachers agree that villagers cannot really be generally taught to read and write *except* by schools in each village on the spot. It is about 20 years since the then Thathanabaing or Buddhist Pope expressed his opinion to me strongly to that effect, declaring the Department of Public Instruction a public nuisance. There really is a substantial basis of fact for much he said about the indigenous village schools being ruined by the Depart-

ment of Public Instruction. In officially reporting with his permission what he said to the Commissioner and the then Chief Commissioner, Sir Alexander MacKenzie, I had to express my general agreement with the wise old Thathanabaing; and all I have seen and heard since then has strengthened that opinion.

I do not ask you to share it, but only recognise that Bishop Thomas is not odd. If you elicited from your S. P. G. teachers whether they do not find the inspectors a hindrance to sound teaching, and would not thankfully accept the Government grants *without* the Inspection, you will discover perhaps that in this matter Bishop Thomas (as I hope you will allow me to call him,—he is an honour to the title) is on the side of the majority.

If so, and perhaps whether or not, you might induce the Local Government to give a little pecuniary help *without* inspection to Bishop Thomas's village schools. I do not think you would ever repent doing so. I know of one and believe there are many missionaries who would in this matter be glad to fall into line with Bishop Thomas.

One kindred matter is entirely within your own power. Let me draw your attention to the fact that when Bishop Thomas was arrested, he had two sons pupils in your S. P. G. schools at Toungoo and a daughter a teacher; and Mr. Hackney said about 20 children from his villages were receiving education there. They had to be withdrawn because the legal expenses caused by these persecutions left Bishop Thomas and his people unable to pay the school fees,—a strange but complete refutation of Mr. Hackney's belief in their wealth. Seeing they are really poor, why not decide on the cheap liberality of intimating to him and his Church, that, inasmuch as they *were* all Church of England people, and then known to you as among the poorest of your community, and as they have recently had much unusual expense to endure, and have even withdrawn the children they had at the Toungoo schools, merely because of poverty, you, for the Local Church of England, have decided to allow whatever pupils they maintain at Toungoo to attend your schools *without any payment of fees?* It would cost you little. They would board and feed the children themselves, if they sent any.

If then we look some 20 or 30 years ahead, and see their present hopes of a quick return of Jesus Kleebo in the sky

all faded to the light of common day, may we not also hope to see the next generation reconciled to their "brethren in the Lord?" There is even a blessed possibility that then this "grievous schism" may in part at any rate be *ended*, not by harsh persecution, but by such gradual and gracious evolution as befalls all living things, material and spiritual. Be the consequences what they may, no *evil* but only good can result from promoting peace and good will. To do so is a Christian duty, and I will not in addressing a Bishop of a Christian Church seek stronger arguments than that.

I fear you will call this advice, and not thank me for it. But it was a duty to say it all.

On the administrative side, it is enough to remark that I am quite certain the moneys illegally demanded and extorted shall all be refunded and never asked again; and that the people on the hills shall be reassured (as already in great measure they are beginning to be) against all fear of a general rise in their capitation tax.

I doubt not also that the Deputy Commissioner will overhaul the list of Headmen, and make sure that in all these villages and especially the *mixed* villages the official Headman is the *real* Headman, the nominee of the majority, and make sure they are one and all warned to obey the law and avoid religious persecution.

The law of this Empire and its practice for generations has been and is complete freedom of religious thought. My intimations to that effect at the trial were to the troubled spirits of the Kleeboites like oil on the waters. In the words of a great King, "every man is at liberty to go to Heaven in his own way."

To the Kleeboites let me add :—

Your taxes are not going to be raised. You are quite mistaken in supposing the Bishop and Mr. Hackney wished to persecute you. Among Englishmen "persecutors" are openly unknown. They can act, like vermin, only in the dark, unseen. Both the Bishop and Mr. Hackney are sure to be filled with contrition on discovering they have been found out doing persecution. They never intended it. The Myook of Leiktho thought he was doing what would oblige the Bishop by fining one Kleeboite Rs. 5/- and sending another to jail for a month. But he pretended he was acting out of zeal for authority and revenue, and Mr.

Hackney was deceived himself. He believed it *was* all about revenue. But for Mr. Hackney that case would not have been discovered. He told about it because he believed the men were punished for refusing taxes. So you see that he did not understand what the Leiktho Myook was doing, and now that the Leiktho Myook discovers he is to treat the Kleeboites and the S. P. G. people alike, he will do so. And everybody will do so. You have no reason to be afraid. Bishop Thomas has a higher opinion of Bishops and Priests and Deacons than any Englishman has, but on the main point I agree, and so will everybody, with his wise words in his Proclamation. "Let all the peoples of the world fear God, but do not fear the English People or the Officers of Government."

Officials are perhaps a necessary evil; and I cannot expect you to look otherwise than askance on tax collectors. We do so in England too. But the English King-Emperor shall never oppress you, and the English people never mean to do you any harm.

#### FINDING AND SENTENCE (END OF JUDGMENT).

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Agreeing with the assessors I find that Thomas Pellako, more correctly called Bishop Thomas, son of Baisa, is not guilty of either of the offences specified in the two (2) charges preferred, of sedition and waging war, offences punishable under sections 121A and 124A Indian Penal Code, and I acquit him of both charges.

(Sd.) DAVID ALEC WILSON,

*Sessions Judge,*

*Date, 5th June, 1911.*

(True Copy)

MG. BA.,

*Head Clerk,*

*Sessions Court,*

*Toungoo Division.*

*Seal.*







